CITY OF CHULA VISTA **Development Services Department**

**ZONING ADMINISTRATOR**
**NOTICE OF DECISION**

NOTICE IS HEREBY GIVEN THAT THE ZONING ADMINISTRATOR FOR THE CITY OF CHULA VISTA considered a Conditional Use Permit application for live entertainment in conjunction with the operation of a restaurant as further described below:

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| **Date:** | **March 19, 2026** |
| **Applicant:** | **The Plascencia Group, LLC** |
| **Project Number:** | **PLN25-0042 (CUP25-0042)** |
| **Project Location:** | **4346 Bonita Road (APN: 593-280-09)** |
| **Project Planner:** | **Caroline Young** |

The Applicant proposes to allow live entertainment at an existing restaurant, Romesco Mexiterranean Bistro in a suite within the Bonita Centre Shopping Center ("Project"). The individual suite is owned by Bonita Centre Edens LLC ("Property Owner") and is zoned Central Commercial ("CCD"), with a General Plan Land Use Designation of Commercial Retail ("CR") in the Chula Vista General Plan.

The Romesco Mexiterranean Bistro occupies one of several suites within the existing shopping center and consists of an approximately 3,600-square foot restaurant that includes an open patio area. Live entertainment is proposed inside the restaurant for a live band, disc jockey, karaoke, and dancing. No live entertainment will be within the outdoor patio area. Hours of operation for the live entertainment will be between 10:00 a.m. and 1:30 a.m. daily in conjunction with the existing restaurant. The restaurant will operate under a California Department of Alcoholic Beverage Control ("ABC"), authorizing the live entertainment.

ENVIRONMENTAL REVIEW

The proposed Project was reviewed for compliance with the California Environmental Quality Act (CEQA) and determined that the project qualifies for a Class 1 categorical exemption pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines. No further environmental review is required.

HOUSING IMPACT

Neither the subject property nor any portion thereof was identified in the General Plan's Housing Element to accommodate a portion of the City's allocation toward addressing regional housing needs.

FINDINGS

The Zoning Administrator, under the provisions of Section 19.14.030(A) of the Chula Vista Municipal Code ("CVMC"), makes the following findings pursuant to CVMC Section 19.14.080:

***The proposed use at this particular location is necessary or desirable to provide a service or facility that will contribute to the general well-being of the neighborhood or the community.***

The proposed live entertainment is desirable at this location because it complements the existing restaurant and other uses within the commercial shopping center by enhancing the onsite dining and social amenities available to the public. The live entertainment supports the restaurant business and is

consistent with the CCD land use designation, which anticipates dining and retail uses. The use of any amplifying system or device is prohibited in the patio area located in the front of the restaurant as to prevent any noise disturbance to adjacent residential uses located west of the commercial shopping center. No outdoor dining is located in the rear of the restaurant. The live entertainment is only allowed inside the existing restaurant.

***Such use will not, under the circumstances of this particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, nor will it be injurious to property or improvements in the vicinity.***

The proposed onsite live entertainment will not be detrimental to the health, safety, or general welfare of nearby residents or businesses due to it being limited to inside the restaurant and not within the outdoor patio area, and the Project will comply with all applicable building, fire, and safety codes, the Noise Ordinance, as well as City-approved operating hours. Ongoing oversight by the Chula Vista Police Department and adherence to ABC license will ensure the use remains well managed and does not create impacts to surrounding properties or improvements.

***The proposed use will comply with the regulations and conditions specified in Title 19 of the CVMC.***

The proposed use will comply with all applicable regulations and conditions specified in Title 19 of the CVMC, including the Noise Ordinance. The conditions of approval are appropriately tailored to the nature and scale of the Project and ensure that live entertainment is conducted in a manner consistent with City requirements. Approval of this permit is contingent upon the Applicant's and Property Owner's continued compliance with all conditions and applicable codes, ensuring the use operates safely and responsibly.

***Granting this conditional use will not adversely affect the General Plan of the City or the adopted plan of any governmental agency.***

The proposed conditional use will not adversely affect the City's General Plan or any adopted plan of another governmental agency, as the Project is fully consistent with the CR land use designation and the permitted uses within the zone. Allowing live entertainment within the existing restaurant does not alter the established land use pattern and remains compatible with the retail, office, and service-oriented character envisioned for the area.

BASED ON THE FINDINGS ABOVE, THE ZONING ADMINISTRATOR hereby approves PLN25-0042 (CUP25-0042) as described above, subject to the following conditions. Approval of this permit shall not waive requirements for compliance with Title 19 of the CVMC and all other applicable standards at the time of permit issuance. Additional requirements for subsequent approvals may be imposed, depending upon whether additional approvals are required:

**Special Conditions**

**Development Services Department - Planning Division**

1. Hours of operation for the live entertainment shall be between 10:00 a.m. and 1:30 a.m. daily in conjunction with the existing restaurant.

2. The Project shall comply with Chula Vista Municipal Code Section 19.68 Noise Standards.

**Police Department**

1. There shall be no live entertainment of any type in the patio area, including but not limited to, live music, disc jockey, karaoke, topless entertainment, male or female performers or fashion shows.

2. The use of any amplifying system or device is prohibited on patio area, and the use of any such system or device inside the premises shall not be audible outside the premises.

**Standard Conditions**

The following conditions shall apply to the Project and the Project Site for as long as they rely upon this permit:

1. The Applicant shall maintain the Project in accordance with the approved plans for PLN25-0042, which include a site plan and floor plans on file in the Development Services Department. The Project shall also maintain compliance with the conditions contained herein and Title 19 of the CVMC.

2. The Applicant shall execute this permit only as the authorized use. Any new use or modification/expansion of uses shall be subject to review and approval by the Zoning Administrator.

3. The Applicant/Operator shall and does hereby agree to indemnify, protect, defend and hold harmless the City, its Council members, officers, employees, agents, and representatives from and against any and all liabilities, losses, damages, demands, claims, and costs, including court costs and attorneys' fees (collectively, "liabilities") incurred by the City arising, directly or indirectly, from (a) the City's approval and issuance of this permit or (b) the City's approval or issuance of any other permit or action, whether discretionary or non-discretionary, in connection with the use contemplated herein. The Applicant/Operator shall acknowledge their agreement to this provision by executing a copy of this permit where indicated. The Applicant's/Operator's compliance with this provision is an express condition of this permit, and this provision shall be binding on any and all of the Applicant's/Operator's successors and assigns.

4. If any of the foregoing conditions fails to be met, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fails to be so implemented and maintained according to their terms, the City shall have the right to revoke or modify all approvals herein granted; deny or further condition issuance of all future building permits; deny, revoke, or further condition all certificates of occupancy issued under the authority of approvals herein granted; institute and prosecute litigation to compel compliance with said conditions; or seek damages for their violation. Neither the Applicant nor any successor in interest gains vested rights by the City's approval of this permit.

5. Any violations of the terms and conditions of this permit may result in the imposition of civil or criminal penalties and/or the revocation or modification of this permit.

6. This permit may be reviewed at any time by the Zoning Administrator to review this use for compliance with the conditions of approval and applicable codes and regulations and may determine, in consultation with the Applicant, whether the Project shall be modified from its original approval or revoked, or whether another review shall be necessary for the Project. If such review is required, the Zoning Administrator shall determine the timeline for review. The Property Owner and the Applicant shall execute this document by making a true copy of this Notice of Decision and signing both this original notice and the copy on the lines provided below, said execution indicating that the Property Owner and Applicant have each read, understood, and agreed to the conditions contained herein and will implement same. Upon execution, the

true copy with original signatures shall be returned to the Development Services Department. Failure to return the signed true copy of this document within 30 days shall indicate the Property Owner/Applicant's desire that the Project and the corresponding application for building permits and/or a business license be held in abeyance without approval.

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Luis Daniel Pena — Date
*For* The Plascencia Group Inc.
Applicant

_____ _____

Gus Postal — Date
*For* Bonita Centre Edens LLC
Property Owner

APPROVED BY THE ZONING ADMINISTRATOR FOR THE CITY OF CHULA VISTA, CALIFORNIA, this 19th day of March 2026.

Anna Colamussi
Zoning Administrator